IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.49029-M of 2006

DATE OF DECISION:19.10.2006

Gurbachan Singh .....Petitioner

Versus

State of Punjab .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri L.S. Sindhu, Advocate
for the petitioner.

Shri N.S. Gill, AAG, Punjab.

Shri P.S. Jahangir, Advocate
for the complainant.

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Petitioner Gurbachan Singh apprehending his arrest in a non-bailable offence in case FIR No. 255 dated 29.6.2006 under Sections 323/341/454/380/34 IPC, registered at Police Station Kotwali, Sangur, has filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

After hearing counsel for the parties, interim anticipatory bail was granted to the petitioner vide order dated 29.8.2006 subject to the condition of his joining the investigation.

Counsel for the petitioner contends that in view of the aforesaid order, the petitioner has joined the investigation. In this case only simple injuries have been attributed to the petitioner. Undisputedly a civil suit is also pending between the parties with regard to the house in question.

Keeping in view the aforesaid facts, without expressing anything on the merits of case, the interim bail, granted vide order dated

29.8.2006 is made absolute subject to the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter the petitioner shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

October 19, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**